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8 Attorneys for Creditor  
9 ACCO ENGINEERED  
10 SYSTEMS, INC.

11 UNITED STATES BANKRUPTCY COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 In re  
15 PG&E CORPORATION,  
16 and  
17 PACIFIC GAS AND ELECTRIC  
18 COMPANY  
19 Debtors.

20 Case No. 19-30088 DM (Lead Case)  
21 (Jointly Administered with Case No. 19-  
22 30089 DM)

23 Chapter 11

24 **NOTICE OF CONTINUED  
25 PERFECTION OF MECHANICS LIEN  
26 PURSUANT TO 11 U.S.C. § 546(b)(2)**

- 27 ☐ Affects PG&E Corporation  
28 ☐ Affects Pacific Gas and Electric  
Company  
☐ Affects both Debtors.  
\* All papers shall be filed in the  
Lead Case No. 19-30088 DM.

ACCO Engineered Systems, Inc. ("ACCO"), by and through its undersigned  
counsel, hereby gives notice of continued perfection of its mechanics lien under 11 U.S.C.  
§ 546(b)(2), as follows:

1. ACCO is a corporation that has provided and delivered labor, services,

1 equipment, and/or materials for the construction and improvement of projects on real  
2 property located in the County of San Francisco, State of California (the "Property") and  
3 owned by PG&E Corporation and/or Pacific Gas and Electric Company (collectively, the  
4 "Debtors").

5           2.       Through July 11, 2019, the amount owing to ACCO is at least  
6 \$572,929.

7           3.       ACCO properly perfected its mechanics lien under California Civil  
8 Code §§ 8400, et seq., by timely recording its mechanics lien ("Claim of Lien") in the  
9 Official Records of the County of San Francisco, State of California, as more fully described  
10 in its Claim of Lien, a true and correct copy of which is attached hereto as Exhibit A.

11           4.       Pursuant to California Civil Code § 8400, an action to enforce a lien  
12 must be commenced within 90 days after recordation of the claim of lien. However, due to  
13 the automatic stay set forth in 11 U.S.C. § 362, ACCO is precluded from filing a state court  
14 action to enforce its Claim of Lien. 11 U.S.C. § 546(b)(2) provides that, when applicable law  
15 requires seizure of property or commencement of an action to perfect, maintain, or continue  
16 the perfection of an interest in property, and the property has not been seized or an action has  
17 not been commenced before the bankruptcy petition date, then the claimant shall instead give  
18 notice within the time fixed by law for seizing property or commencing an action. See 11  
19 U.S.C. § 546(b)(2); *In re Baldwin Builders*, 232 B.R. 406 (9th Cir. 1999).

20           5.       Accordingly, ACCO hereby provides notice of its rights as a perfected  
21 lienholder in the Property pursuant to California's mechanics lien law. ACCO is filing and  
22 serving this notice to preserve, perfect, maintain, and continue the perfection of its Claim of  
23 Lien and its rights in the Property to comply with the requirements of California state law, 11  
24 U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), and any other applicable law. This notice  
25 constitutes the legal equivalent of having commenced an action to foreclose the lien in the  
26 proper court. By this notice, the Debtors and other parties in interest are estopped from  
27 claiming that the lawsuit to enforce ACCO's Claim of Lien was not timely commenced  
28

1 pursuant to applicable state law. ACCO intends to enforce its lien rights to the fullest extent  
2 permitted by applicable law. The interests perfected, maintained, or continued by 11 U.S.C.  
3 § 546(b)(2) extend in and to the proceeds, products, offspring, rents, or profits of the  
4 Property.

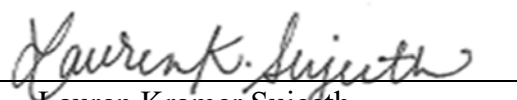
5 6. The filing of this notice shall not be construed as an admission that such  
6 filing is required under the Bankruptcy Code, the California mechanics lien law, or any other  
7 applicable law. In addition, ACCO does not make any admission of fact or law, and ACCO  
8 asserts that its lien is senior to and effective against entities that may have acquired rights or  
9 interests in the Property previously.

10 7. The filing of this notice shall not be deemed a waiver of ACCO's right  
11 to seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of any  
12 other rights or defenses.

13 8. ACCO reserves all rights, including the right to amend or supplement  
14 this notice.

15  
16 Dated: July 10, 2020

ROGERS JOSEPH O'DONNELL

17  
18 By:   
19 Lauren Kramer Sujeth

20 Attorney for Creditor  
21 ACCO ENGINEERED SYSTEMS, INC.  
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